

CHAPTER 21—FEDERAL INSURANCE CONTRIBUTIONS ACT

Subchapter	Sec. ¹
A. Tax on employees	3101
B. Tax on employers	3111
C. General provisions	3121

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 72, 275, 401, 416, 1402, 3121, 3231, 3503, 3510, 5041, 6011, 6103, 6302, 6501, 6513, 6521, 7507, 7509, 7651, 7655, 7701, 7851 of this title; title 5 sections 5901, 8334, 8349, 8401; title 22 sections 3307, 3310, 4045, 4071b; title 29 section 1302; title 31 sections 1309, 9502; title 38 section 7406; title 42 sections 401, 405, 408, 418, 1307; title 45 section 231f; title 48 section 1421h; title 50 sections 2021, 2151.

Subchapter A—Tax on Employees

Sec.	
3101.	Rate of tax.
3102.	Deduction of tax from wages.

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 3509 of this title.

§ 3101. Rate of tax

(a) Old-age, survivors, and disability insurance

In addition to other taxes, there is hereby imposed on the income of every individual a tax equal to the following percentages of the wages (as defined in section 3121(a)) received by him with respect to employment (as defined in section 3121(b))—

In cases of wages received during:	The rate shall be:
1984, 1985, 1986, or 1987	5.7 percent
1988 or 1989	6.06 percent
1990 or thereafter	6.2 percent.

(b) Hospital insurance

In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to the following percentages of the wages (as defined in section 3121(a)) received by him with respect to employment (as defined in section 3121(b))—

- (1) with respect to wages received during the calendar years 1974 through 1977, the rate shall be 0.90 percent;
- (2) with respect to wages received during the calendar year 1978, the rate shall be 1.00 percent;
- (3) with respect to wages received during the calendar years 1979 and 1980, the rate shall be 1.05 percent;
- (4) with respect to wages received during the calendar years 1981 through 1984, the rate shall be 1.30 percent;
- (5) with respect to wages received during the calendar year 1985, the rate shall be 1.35 percent; and
- (6) with respect to wages received after December 31, 1985, the rate shall be 1.45 percent.

(c) Relief from taxes in cases covered by certain international agreements

During any period in which there is in effect an agreement entered into pursuant to section 233 of the Social Security Act with any foreign

country, wages received by or paid to an individual shall be exempt from the taxes imposed by this section to the extent that such wages are subject under such agreement to taxes or contributions for similar purposes under the social security system of such foreign country.

(Aug. 16, 1954, ch. 736, 68A Stat. 415; Sept. 1, 1954, ch. 1206, title II, § 208(b), 68 Stat. 1094; Aug. 1, 1956, ch. 836, title II, § 202(b), 70 Stat. 845; Pub. L. 85-840, title IV, § 401(b), Aug. 28, 1958, 72 Stat. 1041; Pub. L. 87-64, title II, § 201(b), June 30, 1961, 75 Stat. 141; Pub. L. 89-97, title I, § 111(c)(5), title III, § 321(b), July 30, 1965, 79 Stat. 342, 395; Pub. L. 90-248, title I, § 109(a)(2), (b)(2), Jan. 2, 1968, 81 Stat. 836; Pub. L. 92-5, title II, § 204(a)(1), Mar. 17, 1971, 85 Stat. 11; Pub. L. 92-336, § 204(a)(2), (b)(2), July 1, 1972, 86 Stat. 421, 422; Pub. L. 92-603, § 135(a)(2), (b)(2), Oct. 30, 1972, 86 Stat. 1362, 1363; Pub. L. 93-233, § 6(a)(1), (b)(2), Dec. 31, 1973, 87 Stat. 954, 955; Pub. L. 94-455, title XIX, § 1903(a)(1), Oct. 4, 1976, 90 Stat. 1806; Pub. L. 95-216, title I, § 101(a)(1), (b)(1), title III, § 317(b)(2), Dec. 20, 1977, 91 Stat. 1510, 1511, 1540; Pub. L. 98-21, title I, § 123(a)(1), Apr. 20, 1983, 97 Stat. 87.)

REFERENCES IN TEXT

Section 233 of the Social Security Act, referred to in subsec. (c), is classified to section 433 of Title 42, The Public Health and Welfare.

AMENDMENTS

1983—Subsec. (a). Pub. L. 98-21 substituted table of rates for former pars. (1) to (7) which had imposed a tax on the income of every individual (1) with respect to wages received during the calendar years 1974 through 1977 at the rate of 4.95 percent; (2) with respect to wages received during the calendar year 1978 at the rate of 5.05 percent; (3) with respect to wages received during the calendar years 1979 and 1980 at the rate of 5.08 percent; (4) with respect to wages received during the calendar year 1981 at the rate of 5.35 percent; (5) with respect to wages received during the calendar years 1982 through 1984 at the rate of 5.40 percent; (6) with respect to wages received during the calendar years 1985 through 1989 at the rate of 5.70 percent; and (7) with respect to wages received after Dec. 31, 1989, at the rate of 6.20 percent.

1977—Subsec. (a). Pub. L. 95-216, § 101(a)(1), substituted “1974 through 1977” for “1974 through 2010” in par. (1), substituted “wages received during the calendar year 1978, the rate shall be 5.05 percent” for “wages received after December 31, 2010, the rate shall be 5.95 percent” in par. (2), and added pars. (3) to (7).

Subsec. (b). Pub. L. 95-216, § 101(b)(1), substituted “wages received during the calendar year 1978, the rate shall be 1.00 percent” for “wages received during the calendar years 1978 through 1980, the rate shall be 1.10 percent” in par. (2), substituted “wages received during the calendar years 1979 and 1980, the rate shall be 1.05 percent” for “wages received during the calendar years 1981 through 1985, the rate shall be 1.35 percent”, in par. (3), substituted “wages received during the calendar years 1981 through 1984, the rate shall be 1.30 percent” for “wages received after December 31, 1985, the rate shall be 1.50 percent” in par. (4), and added pars. (5) and (6).

Subsec. (c). Pub. L. 95-216, § 317(b)(2), added subsec. (c).

1976—Subsec. (a). Pub. L. 94-455, § 1903(a)(1)(A), redesignated pars. (5) and (6) as (1) and (2), respectively. Former pars. (1) to (4), which related to a tax rate of 3.8 percent with respect to wages received during the calendar year 1968, a tax rate of 4.2 percent with respect to wages received during the calendar years 1969 and 1970, a tax rate of 4.6 percent with respect to wages re-

¹ Section numbers editorially supplied.